

REMARKS

First, Applicants note that each of the §103 rejections relies upon the Zadeh patent. However, under §103(c), Zadeh does not qualify as a valid prior art reference. The instant application was filed on 23 January 2001 and Zadeh issued on 24 July 2001. Zadeh therefore qualifies as prior art only under §102(e). The instant application and Zadeh were, at the time the invention was made, owned by, or subject to an obligation of assignment to Ericsson Inc. Therefore, Zadeh does not qualify as prior art for an obviousness rejection. For at least this reason, each and every §103 rejection cited against the pending claims must be withdrawn.

In addition, Applicants note that each independent claim contains language that requires a mobile terminal to generate GPS assistance data from received GPS data. Each obviousness rejection relies upon either Beason or Pihl as the primary reference. As explained by Applicants in the previous correspondence dated 8 April 2005 and conceded by the Examiner during the telephonic interview documented in the Interview Summary dated 1 July 2005, Beason fails to teach or suggest that a mobile terminal generates GPS assistance data for transmission to a remote mobile terminal. In addition, in the telephonic interview documented by the Interview Summary dated 1 July 2005, the Examiner conceded that neither Pihl nor Honda teach or suggest that the mobile terminal generates the GPS assistance data for transmission to a remote mobile terminal. As such, neither Beason nor Pihl teach or suggest a mobile terminal that generates GPS assistance data for transmission to a remote mobile terminal.

In each obviousness rejection, the Examiner looks to Zadeh to solve this deficiency. Applicants note that as shown in Figure 4, and described in at least the Abstract and Summary, Zadeh teaches a Mobile Location Center in the wireless network that provides assistance data to a mobile station. As such, the mobile station in Zadeh does not generate the GPS assistance data as required by the claimed invention. On page 3 of the pending Office Action, the Examiner asserts that Zadeh teaches a wireless network that provides "range measurement

assistance data to a GPS-MS". The Examiner goes further to state that the GPS mobile station in Zadeh "generates (obtains) GPS measurement data from the GPS satellites as a function of the received measurement assistance data." With all due respect, the Examiner's assessment simply proves Applicants' point: while the mobile station in Zadeh receives some kind of assistance data, the mobile station does not generate the assistance data. (Applicants note that despite the Examiner's attempt to equate generate with obtains, the two words have wholly different meanings and therefore, cannot be interpreted as synonyms). For at least this reason, Zadeh does not solve the deficiencies of Beason, Pihl, or Honda.

In light of the above remarks, it is clear that none of the references cited against the independent claims teach or suggest generating GPS assistance data at a mobile terminal from received GPS data, as required by each of independent claims 70, 84, 92, and 106. For at least this reason, independent claims 70, 84, 92, and 106, and dependent claims 71 – 83, 85 – 91, 93 – 105, and 106 – 113 are non-obvious over the cited art. Applicants respectfully request reconsideration and allowance of the claims.

While Applicants believe this response addresses all outstanding issues, should any issues remain, Applicants request that the Examiner call the undersigned so that such issues may be resolved expeditiously.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.



Jennifer K. Stewart
Registration No.: 53,639

Dated: 9 November 2005

P.O. Box 5
Raleigh, NC 27602
Telephone: (919) 854-1844
Facsimile: (919) 854-2084